

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
DOCKETING STATEMENT--CIVIL/AGENCY CASES**

Directions: Counsel must make a **docketing statement (civil/agency) filed** entry in CM/ECF within 14 days of docketing of the appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form with any extended answers and (2) any transcript order form. Parties proceeding pro se are not required to file a docketing statement. Opposing counsel who finds a docketing statement inaccurate or incomplete may file any objections within 10 days of service of the docketing statement using the ECF event-**docketing statement objection/correction filed**.

Appeal No. & Caption	Maryland Shall Issue, et al. v. Hogan, et al. No. 21-2017 (L)
Originating No. & Caption	Maryland Shall Issue, et al. v. Hogan, et al. No. 1:16-cv-03311
Originating Court/Agency	United States District Court for the District of Maryland

21-2053

Jurisdiction (answer any that apply)		
Statute establishing jurisdiction in Court of Appeals	28 U.S.C. 1291	
Time allowed for filing in Court of Appeals	30 days	
Date of entry of order or judgment appealed	August 12, 2021	
Date notice of appeal or petition for review filed	September 10, 2021	
If cross appeal, date first appeal filed	N/A	
Date of filing any post-judgment motion	N/A	
Date order entered disposing of any post-judgment motion	N/A	
Date of filing any motion to extend appeal period	N/A	
Time for filing appeal extended to	N/A	
Is appeal from final judgment or order?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If appeal is not from final judgment, why is order appealable? N/A		

Settlement (The docketing statement is used by the circuit mediator in pre-briefing review and mediation conducted under Local Rule 33. Counsel may make a confidential request for mediation by calling the Office of the Circuit Mediator at 843-731-9099.)		
Is settlement being discussed?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Transcript (transcript order must be attached if transcript is needed and not yet on file)		
Is transcript needed for this appeal?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Has transcript been filed in district court?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is transcript order attached?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

Case Handling Requirements (answer any that apply)		
Case number of any prior appeal in same case	19-1469	
Case number of any pending appeal in same case	N/A	
Identification of any case pending in this Court or Supreme Court raising similar issue	N/A	
	If abeyance or consolidation is warranted, counsel must file an appropriate motion.	
Is expedited disposition necessary?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	If yes, motion to expedite must be filed.	
Is oral argument necessary?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does case involve question of first impression?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Does appeal challenge constitutionality of federal or state statute in case to which federal or state government is not a party	<input type="radio"/> Yes	<input checked="" type="radio"/> No
	If yes, notice re: challenge to constitutionality of law must be filed.	

Nature of Case (Nature of case and disposition below. Attach additional page if necessary.)
<p>Appellants challenge the constitutionality of Md. Code Ann., Pub. Safety § 5-117.1, as well as the Maryland State Police's implementing regulations, COMAR 12.15.05 and 29.03.01 (collectively, the "Handgun License Requirement"), because they violate the Second Amendment and Due Process Clause of the Fourteenth Amendment to the United States Constitution and because the Maryland State Police's regulations are inconsistent with its authorizing statute.</p> <p>On cross-motions for Summary Judgment, the United States District Court for the District of Maryland upheld the constitutionality of the Handgun License Requirement, granting Summary Judgment to Appellees and denying Appellants' motion for Summary Judgment.</p>

Issues (Non-binding statement of issues on appeal. Attach additional page if necessary)

Whether the District Court erred in upholding the Handgun License Requirement granting Appellees' Motion for Summary Judgment and denying Appellants' Motion for Summary Judgment.

Whether the District Court abused its discretion in granting in part and denying in part Appellees' motion to strike the opinion testimony of lay witness Mark Pennak and denying Appellants' motion to strike the opinions of Appellees' expert witnesses.

Adverse Parties (List adverse parties to this appeal and their attorneys; provide party's address if the party is not represented by counsel. Attach additional page if necessary.)

Adverse Party: Lawrence Hogan, in his capacity as Governor of Maryland

Attorney: Robert A. Scott and Ryan R. Dietrich

Address: 200 St. Paul Place, 20th Floor
Baltimore, Maryland 21202

E-mail: rscott@oag.state.md.us

Phone: (410) 576-7055

Adverse Party: Woodrow W. Jones, III, in his capacity as Superintendent of MD State Police

Attorney: Robert A. Scott and Ryan R. Dietrich

Address: 200 St. Paul Place, 20th Floor
Baltimore, Maryland 21202

E-mail: rscott@oag.state.md.us

Phone: (410) 576-7055

Adverse Parties (continued)

Adverse Party: N/A

Attorney:

Address:

E-mail:

Phone:

Adverse Party: N/A

Attorney:

Address:

E-mail:

Phone:

Appellant (Attach additional page if necessary.)

Name: Atlantic Guns, Inc.

Attorney: John Parker Sweeney
Address: 1615 L Street N.W., Suite 1350
Washington, D.C. 20036

E-mail: jsweeney@bradley.com

Phone: 202-393-7150

Name: Maryland Shall Issue, Inc.

Attorney: Cary J. Hansel
Address: 2514 N. Charles Street
Baltimore, MD 21218

E-mail: cary@hansellaw.com

Phone: 301-461-1040

Appellant (continued)

Name: Susan Brancato Vizas

Attorney: Cary J. Hansel
Address: 2514 N. Charles Street
Baltimore, MD 21218

E-mail: cary@hansellaw.com

Phone: 301-461-1040

Name: Deborah Kay Miller

Attorney: Cary J. Hansel
Address: 2514 N. Charles Street
Baltimore, MD 21218

E-mail: cary@hansellaw.com

Phone: 301-461-1040

Signature: /s/ John Parker Sweeney **Date:** 9/28/2021**Counsel for:** Atlantic Guns, Inc. and on behalf of all appellants (with permission)**Certificate of Service** (required for parties served outside CM/ECF): I certify that this document was served on _____ by ☐ personal delivery; ☐ mail; ☐ third-party commercial carrier; or ☐ email (with written consent) on the following persons at the addresses or email addresses shown:Signature: /s/ John Parker SweeneyDate: 9/28/2021